

Remarks

Independent claims 1 and 13 were rejected under 35 USC §102(b)) as being unpatentable over Van den Heuvel et al. (US patent 5,301,359). In response, these claims have been amended to clarify the Applicant's invention. In particular, the independent claims have been amended to clarify that the content provider is an external content provider, that price information associated with communication through the communication system is provided to the external content provider, and that price information related to a plurality of options related to values of at least one communications parameter to be used during the provision of service is received from the external content provider. In addition a few minor amendments have been included.

Van den Heuvel discloses a system wherein a bulletin board service may be transmitted which provides information allowing a user to select between different communication systems. Applicants understand the Examiner's objection to be based on a consideration that the operators of the different communication systems correspond to the content provider of the independent claim. However, Applicants respectfully submit that the operators do not provide content but only a communication service, and that van den Heuvel comprises no disclosure of any provider of content but only of communication service providers. However, the independent claims have been amended to clarify that the content provider is external to the communication system and thus is not part of the communication system.

It is furthermore submitted that van den Heuvel comprises no disclosure of any price being determined by any specific entity external to the communication system. Thus, van den Heuvel clearly does not disclose the features of price information associated with communication through the communication system being provided to the external content provider or of price information related to a plurality of options related to values of at least one communications parameter used during the provision of service being received from the external content provider.

It is noted that a key feature of the current invention is the separation between the content provider and the communication system. Frequently, a content provider simply uses the communication system as a distribution network but maintains all control and management of the provided service to the end user. The current invention allows for the external content provider to provide the user with options having associated price information which may be directly determined and chosen by the content provider, and which may take into account both parameters known and controlled by the content provider as well as the cost of communicating through the communication system.

It is respectfully submitted that van den Heuvel does not disclose the features of the independent claims and clearly does not describe a system allowing the above-mentioned advantages. It is accordingly submitted that the claims as amended are novel and inventive over the cited prior art.

Accordingly, it is respectfully submitted that the cited prior art fails to teach or suggest the method of independent claims 1 and 13. Applicants further submit that claims 2-5, 7-12, 14-17 and 19-24 are allowable by virtue of their dependency on claims 1 and 13. Applicants request the withdrawal of the final rejection and the timely allowance of the pending claims.

Please charge any fees associated herewith, including extension of time fees, to **50-2117**.

Respectfully submitted,
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